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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,
13
14 Plaintiff,

15 vs.

16 PHILLIP HURBACE,
17 SYLVIANE WHITMORE,
18 LARRY MCDANIEL,
19
20 Defendants.

Case No.: 2:17-cr-110 APG-DJA

**STIPULATION TO CONTINUE
SENTENCING HEARINGS; RESTITUTION
HEARING AND FORFEITURE
DEADLINES**

21 The parties, Phillip Hurbace, by and through his counsel, Osvaldo Fumo, Esq.,
22 Sylviane Whitmore, by and through her counsel, Lisa A. Rasmussen, Esq., Larry
23 McDaniel, by and through his counsel, Daniel Hill, and the United States, by and
24 through its counsel, Assistant United States Attorney Richard Anthony Lopez, hereby
25 stipulate as follows:
26
27

28 STIPULATION TO CONTINUE SENTENCING HEARINGS; RESTITUTION HEARING AND FORFEITURE
DEADLINES - 1

- 1 1. The parties need additional time to prepare for sentencing and related
- 2 matters, including a restitution hearing, and legal memoranda related to
- 3 forfeiture.
- 4
- 5 2. The parties propose that the sentencing hearings be moved to October 12,
- 6 2023.
- 7
- 8 3. The parties propose that the restitution hearing be moved to October 10, 2023.
- 9
- 10 4. The parties propose that the government have until September 22, 2023 to file
- 11 its Motion for Forfeiture Order.
- 12
- 13 5. All three defendants are on pretrial release and all three agree to these dates.
- 14
- 15 6. The government agrees to these dates.
- 16
- 17 7. Denial of this request would cause prejudice to both the government and the
- 18 defendants.
- 19

20 Dated this 16th day of August, 2023.

21 **The Law Offices of Kristina Wildeveld & Associates,**

22 */s/ Lisa A. Rasmussen*

23 _____
24 LISA A. RASMUSSEN, ESQ.
25 Counsel for Sylviane Whitmore

26 **Hill Law Firm,**

27 */s/ Daniel Hill*

28 _____
DANIEL HILL, ESQ.
Counsel for Larry McDaniel

Pitaro & Fumo, Chtd.

/s/ Osvaldo Fumo

OSVALDO FUMO, ESQ.
Counsel for Phillip Hurbace

**JASON FRIERSON,
United States Attorney
District of Nevada**

/s/ Richard Anthony Lopez

BY: RICHARD ANTHONY LOPEZ
Assistant United States Attorney

ORDER

Pursuant to the Stipulation of the parties, and good cause appearing,
IT IS HEREBY ORDERED that the government shall have until September 22,
2023 to file its Motions for Forfeiture Orders.

IT IS FURTHER ORDERED that the Restitution hearing presently scheduled for
August 29, 2023 shall be vacated and rest to October 10, 2023 at 10:00 a.m./p.m.

IT IS FURTHER ORDERED that the Sentencing hearings presently scheduled for
August 30, 2023 shall be vacated and rest as follows on October 12, 2023:

Mr. Hurbace 11:00 a.m.

Ms. Whitmore 1:30 p.m.

Mr. McDaniel 2:30 p.m.



The Honorable Andrew P. Gordon
United States District Judge

DATED: August 22, 2023

STIPULATION TO CONTINUE SENTENCING HEARINGS; RESTITUTION HEARING AND FORFEITURE
DEADLINES - 3